

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03 MDL 1570 (RCC)  
ECF Case

-----x  
NEW YORK MARINE AND GENERAL  
INSURANCE COMPANY,

04 CV 6105 (RCC)  
ECF Case

Plaintiff,

v.

AL QAIDA A/K/A AL QAEDA, *et al.*,

Defendants.

/

**NOTICE OF MOTION TO DISMISS OF DEFENDANT  
FAISAL ISLAMIC BANK—SUDAN**

Please take notice that Defendant Faisal Islamic Bank—Sudan (“FIBS”), through its attorneys, moves this Court before the Honorable Richard Conway Casey, United States District Judge, at the United States District Court, Southern District of New York, 500 Pearl Street, Room 1950, New York, N.Y. 10007, at a date and time to be determined by the Court, for an order dismissing plaintiff’s complaint under Rules 12 (b)(1), 12(b)(2), and 12(b)(6) of the Federal Rules of Civil Procedure on the grounds that plaintiff: (1) has failed to provide a “short and plain” statement of facts entitling them to relief; (2) has failed to establish that the Court has personal jurisdiction over FIBS; and (3) has failed to state a claim against FIBS upon which relief can be granted. A memorandum of law in support of this motion has been filed with the Court and is incorporated herein.

Dated: New York, New York  
April 27, 2005

Respectfully Submitted,

**JOHN F. LAURO, P.A.**

By: \_\_\_\_\_/s/\_\_\_\_\_  
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*Attorneys for Defendant  
Faisal Islamic Bank—Sudan*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of April, 2005, the forgoing Notice of Motion to Dismiss of Defendant Faisal Islamic Bank-Sudan was filed electronically through the Court's ECF/PACER system and was electronically served to opposing counsel pursuant to Court rules. A copy of the forgoing was also sent by U.S. mail to plaintiff's primary counsel.

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/s/  
John F. Lauro, Esquire